

# *The Intangible Sock*

***The note and security instrument.*** The note is governed by UCC article 3 negotiable instruments or the states equivalence. The security instrument is the lien perfected in public records by filing. The note and security instrument is a paper tangible are an interest in "real property". The paper tangible must be in writing. The laws of local jurisdiction apply. ESIGN and UETA, 15 USC 7003 excludes UCC Articles 3 & 9.

***The note and security instrument are combined and placed in a sack.*** The sack represents an intangible right to collect the monies paid against the notes contained within the sack. This intangible right, can be used as collateral for the issuance of ***The sack along with many other sacks are assembled into a investment vehicle.*** The investment vehicles are the owner/holder of the sack. Therefore the investment vehicle is the owner/holder of the note and security instrument.

The documents that create the trust to meet IRS tax laws describe the precise negotiation required to place the note within the trust. The trust documents also provide that the security instrument is to be with a valid chain of title. If either of the requirements is violated the REMIC status of the investment vehicle is in jeopardy.

Since the sack is assigned to a subsequent purchaser the security instrument contained within the sack is temporarily perfected for a limited time and must be recorded in public records to a permanent perfection before perfection is lost.

Once perfect is lost, perfection is lost forever, trying to created an "Assignment of the Mortgage" to put the security instrument back together with the note is ludicrous and fraudulent act.

MERS by contract with their member's registers these movements and the members will abide their contract with MERS who would have the priority.

This registry does not take the place of public records in regards to lien perfection.

Banks claim they do not have to record, that is very true, but if perfection becomes an issue then the failure to record is fatal to lien perfection.

## **Vote**